

State of Minnesota**District Court**

County

Judicial District: _____

Court File Number: _____

Case Type: _____

In Re the Marriage of:

Petitioner

and

Respondent

Inteviewer

**Notice of Motion and Motion to Modify
Child Support and/or
Spouse Maintenance****Notice****TO:**

First

Middle

Last

Street Address

Apt. No.

City

State

Zip

PLEASE TAKE NOTICE that the undersigned will bring a motion before the Honorable

_____, on _____
(Name of Judge or Referee) (Date: Month, Day, Year)at _____ o'clock _____ at the _____ County Courthouse
(a.m./p.m.) (Time) (Name of building where hearing to be held)or Government Center located at _____ in the city
of _____ **(Street address where hearing to be held)**_____, Minnesota, (check with the court clerk at the hearing location for
(City where hearing to be held) the room number), and will ask the court to modify the existing
child support and/or spousal maintenance order as requested in the following motion.

Motion

I request that the court modify the support order dated _____
(Date of existing support order)

by ordering the following (*check all that apply*):

<input type="checkbox"/> Increasing basic child support	<input type="checkbox"/> Decreasing basic child support
<input type="checkbox"/> Increasing medical support	<input type="checkbox"/> Decreasing medical support
<input type="checkbox"/> Increasing child care support	<input type="checkbox"/> Decreasing child care support
<input type="checkbox"/> Increasing arrearage payment	<input type="checkbox"/> Decreasing arrearage payment
<input type="checkbox"/> Establishing medical support	<input type="checkbox"/> Establishing child care support
<input type="checkbox"/> Increasing spousal maintenance	<input type="checkbox"/> Decreasing spousal maintenance
<input type="checkbox"/> Changing other medical terms (<i>describe</i>): _____	

Other (*describe*): _____

The facts upon which I base my request are set forth in the attached Affidavit in Support of Motion to Modify Child Support.

Notice of Rights to Other Party

- You have the right to object or respond to the changes I am requesting.
- If you decide to respond or object to this motion, a packet entitled “Response to Motion to Modify Child Support and/or Spousal Maintenance” is available from court administration.
- If you choose to respond, a written response, along with your financial affidavit for child support, must be served upon all parties and filed with the court **at least 5 days before the scheduled hearing**. If you choose to serve and file a counter motion, the counter motion must be served upon all parties and filed with the court **at least 10 days before the scheduled hearing**. A counter motion is where you can raise **new** support or maintenance issues, in addition to responding to the issues raised in this motion.
- The court may, in its discretion, not consider any documents you file with the court if they are not filed on time.

Settlement

This matter may be settled without a court hearing if the parties reach an agreement. To discuss a possible settlement, contact the following person at the phone number listed:
_____ at _____
(Name of person to contact to discuss settlement) (Phone number of person to contact)

Acknowledgment by Party Making Motion:

- a. I am not serving or filing this document for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
- b. The claims, defenses, and other legal contentions therein are warranted by existing law or by a non-frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.
- c. The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.
- d. The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.
- e. The court may impose an appropriate sanction upon the attorneys, law firms, or parties that violate the above stated representations to the court, or are responsible for the violation.
- f. I understand that the existing order remains in full force and effect and I must continue to comply with that order until a new order is issued.

Dated: _____

Signature

Print Name: _____

Address: _____

City/State/Zip: _____

Telephone: (_____) _____

E-mail address: _____

Attorney for: _____